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LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
01/24/2022	.	
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The Committee on Judiciary (Burgess) recommended the following:

Senate Amendment (with title amendment)

Delete everything after the enacting clause
and insert:

Section 1. Section 744.306, Florida Statutes, is amended to
read:

744.306 Authority of guardian to accept payment of debt
owed to ward Foreign guardians.-

~~(1) When the residence of a ward of a foreign guardian is
moved to this state, the guardian shall, within 60 days after
such change of residence, file the authenticated order of her or~~



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12 ~~his appointment with the clerk of the court in the county where~~
13 ~~the ward resides. Such order shall be recognized and given full~~
14 ~~faith and credit in the courts of this state. The guardian and~~
15 ~~the ward are subject to this chapter.~~

16 ~~(2) A guardian appointed in any state, territory, or~~
17 ~~country may maintain or defend any action in this state as a~~
18 ~~representative of her or his ward.~~

19 ~~(1)-(3) A debtor~~ Debtors who has not ~~have~~ received a no
20 written demand for payment from a guardian appointed in this
21 state within 60 days after the appointment of a guardian,
22 curator, conservator, or committee in any state, territory, or
23 country other than this state, and whose property in this state
24 is subject to a mortgage or other lien securing the debt held by
25 the foreign guardian, curator, conservator, or committee, may
26 pay the debt to the foreign guardian, curator, conservator, or
27 committee after the expiration of 60 days from the date of her
28 or his appointment. A satisfaction of the mortgage or lien,
29 executed after the 60 days have expired by the foreign guardian,
30 curator, conservator, or committee, with an authenticated copy
31 of the letters or other evidence of authority of the foreign
32 guardian, curator, conservator, or committee attached, may be
33 recorded in the public records of this state and shall
34 constitute an effective discharge of the mortgage or lien,
35 irrespective of whether the debtor had received written demand
36 before paying the debt.

37 ~~(2)-(4) A person~~ All persons indebted to a ward, or having
38 possession of personal property belonging to a ward, who has not
39 ~~have~~ received a no written demand for payment of the
40 indebtedness or the delivery of the property from a guardian



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41 appointed in this state is ~~are~~ authorized to pay the
42 indebtedness or to deliver the personal property to the foreign
43 guardian, curator, conservator, or committee after the
44 expiration of the 60 days from the date of her or his
45 appointment.

46 Section 2. Paragraph (f) of subsection (1) of section
47 744.363, Florida Statutes, is amended to read:

48 744.363 Initial guardianship plan.—

49 (1) The initial guardianship plan shall include all of the
50 following:

51 (f) A list of any preexisting orders not to resuscitate
52 executed under s. 401.45(3) or preexisting advance directives,
53 as defined in s. 765.101, the date an order or directive was
54 signed, whether such order or directive has been suspended by
55 the court, and a description of the steps taken to identify and
56 locate the preexisting order not to resuscitate or advance
57 directive. If a preexisting order not to resuscitate is
58 disclosed in a court approved initial guardianship plan and has
59 not been suspended by the court, a plenary guardian or a limited
60 guardian of a ward may sign an order not to resuscitate as
61 provided in s. 401.45(3) without prior court approval under s.
62 744.441(2).

63 Section 3. Paragraph (d) of subsection (1) of section
64 744.3675, Florida Statutes, is amended to read:

65 744.3675 Annual guardianship plan.—Each guardian of the
66 person must file with the court an annual guardianship plan
67 which updates information about the condition of the ward. The
68 annual plan must specify the current needs of the ward and how
69 those needs are proposed to be met in the coming year.



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70 (1) Each plan for an adult ward must, if applicable,
71 include:

72 (d) A list of any preexisting orders not to resuscitate
73 executed under s. 401.45(3) or preexisting advance directives,
74 as defined in s. 765.101, the date an order or directive was
75 signed, whether such order or directive has been suspended by
76 the court, and a description of the steps taken to identify and
77 locate the preexisting order not to resuscitate or advance
78 directive. If a preexisting order not to resuscitate is
79 disclosed in a court approved annual guardianship plan and has
80 not been suspended by the court, a plenary guardian or a limited
81 guardian of a ward may sign an order not to resuscitate as
82 provided in s. 401.45(3) without prior court approval under s.
83 744.441(2).

84 Section 4. Subsection (2) of section 744.441, Florida
85 Statutes, is amended to read:

86 744.441 Powers of guardian upon court approval.—After
87 obtaining approval of the court pursuant to a petition for
88 authorization to act:

89 (2) A plenary guardian or a limited guardian of a ward may
90 sign an order not to resuscitate as provided in s. 401.45(3).
91 When a plenary guardian or a limited guardian of a ward seeks to
92 obtain approval of the court to sign an order not to
93 resuscitate, if required by exigent circumstances, the court
94 must hold a preliminary hearing within 72 hours after the
95 petition is filed, and:

96 (a) Rule on the relief requested immediately after the
97 preliminary hearing; or

98 (b) Conduct an evidentiary hearing not later than 4 days



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99 after the preliminary hearing and rule on the relief requested
100 immediately after the evidentiary hearing.

101 (c) Notwithstanding paragraph (a), if the ward is in a
102 hospital and exigent circumstances exist which do not allow time
103 for the guardian to seek court approval under paragraph (a),
104 without prior court approval, the guardian may consent to an
105 order not to resuscitate being entered in the ward's chart by a
106 physician provided the hospital ethics committee has met and
107 agrees with the entry of an order not to resuscitate.

108 (d) As soon as reasonable, and not more than 72 hours after
109 signing an order not to resuscitate or consenting to an order
110 being entered in the ward's chart, the guardian must file notice
111 of such action with the court attaching documentation supporting
112 the decision or a copy of the court's order issued pursuant to
113 paragraph (a).

114 Section 5. Part IX of chapter 744, Florida Statutes,
115 consisting of ss. 744.74-744.96, Florida Statutes, is created
116 and entitled the "Florida Guardianship Jurisdiction Act."

117 Section 6. Section 744.74, Florida Statutes, is created to
118 read:

119 744.74 Short title.—Sections 744.74-744.396 may be cited as
120 the "Florida Guardianship Jurisdiction Act."

121 Section 7. Section 744.75, Florida Statutes, is created to
122 read:

123 744.75 Purpose; construction.—The purpose of this part is
124 to provide clear direction to the courts, attorneys, guardians,
125 and individuals about the proper jurisdiction for guardianship
126 proceedings. This part is intended to supplement, but not
127 replace, other parts of this chapter which provide procedures



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128 for determining incapacity, appointing guardians, managing
129 estates, and other procedures as governed by this chapter. The
130 general purposes of this part are to:

131 (1) Avoid jurisdictional competition and conflict with
132 courts of other states in matters of guardianship.

133 (2) Establish procedures for transferring guardianship from
134 one state to another state when an adult ward.

135 (3) Avoid relitigating the guardianship decisions of other
136 states in this state.

137 (4) Discourage the use of the interstate system for
138 continuing controversies over guardianship.

139 (5) Provide a uniform national system for registration and
140 enforcement of out-of-state orders appointing a guardian.

141 Section 8. Section 744.76, Florida Statutes, is created to
142 read:

143 744.76 Definitions.—As used in this part, the term:

144 (1) "Home state" means the state in which the respondent
145 was physically present, including any period of temporary
146 absence, for at least 6 consecutive months immediately before
147 the filing of a petition for incapacity, guardianship, or
148 similar petition. If no such state exists, then the home state
149 is the state in which the respondent was physically present,
150 including any period of temporary absence, for at least 6
151 consecutive months ending within the 6 months immediately before
152 the filing of the petition.

153 (2) "Respondent" means an adult who is an alleged
154 incapacitated person or ward.

155 (3) "Significant-connection state" means a state, other
156 than the home state, with which a respondent has a significant



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157 connection other than mere physical presence, and in which
158 substantial evidence concerning the respondent is available.

159 (4) "State" means a state of the United States, the
160 District of Columbia, Puerto Rico, the United States Virgin
161 Islands, a federally recognized Indian tribe, or any territory
162 or insular possession subject to the jurisdiction of the United
163 States.

164 Section 9. Section 744.77, Florida Statutes, is created to
165 read:

166 744.77 International application of part.—A court of this
167 state may treat a foreign country as if it were a state of the
168 United States for purposes of applying this part.

169 Section 10. Section 744.78, Florida Statutes, is created to
170 read:

171 744.78 Communication between courts.—

172 (1) A court of this state may communicate with a court of
173 another state concerning a proceeding arising under this
174 chapter; however, the court of this state shall make a record of
175 the communication.

176 (2) Communications between courts may not occur without the
177 ability of interested persons to also participate in the
178 communication, either in person or by other means of
179 participation. Interested persons need not be a party to the
180 internal communications between the clerks of the various
181 courts.

182 Section 11. Section 744.79, Florida Statutes, is created to
183 read:

184 744.79 Cooperation between courts.—

185 (1) In a guardianship proceeding in this state, a court of



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186 this state may request the appropriate court of another state to
187 do any of the following:

188 (a) Hold a hearing.

189 (b) Order a person in that state to produce evidence or
190 given testimony pursuant to procedures of that state.

191 (c) Order that an evaluation or assessment be made of the
192 respondent.

193 (d) Order any appropriate investigation of a person
194 involved in a proceeding.

195 (e) Forward to the court of this state a certified copy of
196 the transcript or other records of a hearing under paragraph (a)
197 or any other proceeding, any evidence otherwise produced under
198 paragraph (b), and any evaluation or assessment prepared in
199 compliance with an order under paragraph (c) or paragraph (d).

200 (f) Issue any order necessary to assure the appearance in
201 the proceeding of a person whose presence is necessary for the
202 court to make a determination, including the respondent.

203 (g) Issue an order authorizing the release of medical,
204 financial, criminal, or other relevant information in that
205 state, including protected health information as defined in 45
206 C.F.R. s. 160.103.

207 (2) If a court of another state in which a guardianship
208 proceeding is pending requests the kind of assistance described
209 in subsection (1), a court of this state has jurisdiction for
210 the limited purpose of granting the request or making reasonable
211 efforts to comply with the request.

212 Section 12. Section 744.80, Florida Statutes, is created to
213 read:

214 744.80 Taking testimony in another state.-



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215 (1) In a guardianship proceeding, upon agreement of all the
216 parties, a court of this state may permit a witness located in
217 another state to be deposed or to testify by telephone,
218 audiovisual, or other electronic means.

219 (2) Documentary evidence transmitted from another state to
220 a court of this state by technological means which does not
221 produce an original writing may be excluded from evidence after
222 a judicial determination of admissibility.

223 Section 13. Section 744.81, Florida Statutes, is created to
224 read:

225 744.81 Significant-connection factors.—In determining
226 whether a respondent has a significant connection with a
227 particular state, the court shall consider the following:

228 (1) The location of the respondent's family and other
229 persons required to be notified of the guardianship proceeding.

230 (2) The length of time that the respondent was physically
231 present in the state at any point in time and the duration of
232 any absence.

233 (3) The location of the respondent's property.

234 (4) The extent to which the respondent has ties to the
235 state, such as voting registration, state or local tax return
236 filing, vehicle registration, driver license, social
237 relationships, and receipt of services.

238 Section 14. Section 744.82, Florida Statutes, is created to
239 read:

240 744.82 Exclusive basis for jurisdiction.—This part provides
241 the exclusive jurisdictional basis for a court of this state to
242 appoint a guardian for an adult. If the courts of this state
243 have jurisdiction, the appropriate venue shall be determined as



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244 provided in s. 744.1097.

245 Section 15. Section 744.83, Florida Statutes, is created to
246 read:

247 744.83 Jurisdiction.—A court of this state has jurisdiction
248 to determine incapacity, appoint a guardian, or undertake
249 similar proceedings if any of the following applies:

250 (1) This state is the respondent's home state.

251 (2) On the date a petition is filed, this state is a
252 significant-connection state and:

253 (a) The respondent does not have a home state, or a court
254 of the respondent's home state has declined to exercise
255 jurisdiction because this state is a more appropriate forum; or

256 (b) The respondent has a home state but a petition for an
257 appointment or order is not pending in a court of that state or
258 another significant-connection state, and before the court of
259 this state makes the appointment or issues an order:

260 1. A petition to determine incapacity, appoint a guardian,
261 or other similar proceeding is not filed in the respondent's
262 home state;

263 2. An objection to the jurisdiction of the court of this
264 state is not filed by a person required to be notified of the
265 proceeding; and

266 3. The court of this state concludes that it is the
267 appropriate forum after considering the factors set forth in s.
268 744.86.

269 (3) This state does not have jurisdiction under subsection
270 (1) or subsection (2), the respondent's home state and all
271 significant-connection states have declined to exercise
272 jurisdiction because this state is the more appropriate forum,



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273 and jurisdiction in this state is consistent with the State
274 Constitution and the United States Constitution.

275 (4) The requirements for special jurisdiction under s.
276 744.84 are met.

277 Section 16. Section 744.84, Florida Statutes, is created to
278 read:

279 744.84 Special jurisdiction.-

280 (1) A court of this state has jurisdiction to do the
281 following:

282 (a) In accordance with this chapter, appoint an emergency
283 temporary guardian pursuant to s. 744.3031 for a person who is
284 physically present in this state.

285 (b) Appoint a guardian for a ward for whom a provisional
286 order to transfer the proceeding from another state has been
287 issued.

288 (2) If a petition for the appointment of an emergency
289 temporary guardian is brought in this state and this state is
290 not the respondent's home state on the date that the petition is
291 filed, the court must dismiss the proceeding at the request of
292 the court of the home state, if any such request is made, only
293 after a hearing and judicial determination of the appropriate
294 forum of the alleged incapacitated person based on those factors
295 as set forth in s. 744.86, whether by the home state or this
296 state. If, after the hearing, the home state and this state
297 differ in their determination of which is the appropriate forum,
298 the determination of the home state shall prevail, whether
299 dismissal is requested before or after the emergency
300 appointment.

301 Section 17. Section 744.85, Florida Statutes, is created to



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302 read:

303 744.85 Exclusive and continuing jurisdiction.—Except as
304 otherwise provided in s. 744.84, a court that has appointed a
305 guardian consistent with this part has exclusive and continuing
306 jurisdiction over the proceeding only until a determination is
307 made as to the proper jurisdiction of the action, the
308 jurisdiction is terminated by the court, or the appointment or
309 order expires by its own terms.

310 Section 18. Section 744.86, Florida Statutes, is created to
311 read:

312 744.86 Appropriate forum.—

313 (1) A court of this state having jurisdiction to appoint a
314 guardian may decline to exercise its jurisdiction if it
315 determines at any time that a court of another state is a more
316 appropriate forum.

317 (2) If a court of this state declines to exercise its
318 jurisdiction under subsection (1), it must dismiss or stay the
319 proceeding. The court may impose any condition that the court
320 considers just and proper, including requiring that a petition
321 for the appointment of a guardian or issuance of similar
322 petition be filed promptly in another state.

323 (3) In determining whether it is an appropriate forum, the
324 court shall consider all relevant factors, including:

325 (a) Any expressed preference of the respondent.

326 (b) Whether abuse, neglect, or exploitation of the
327 respondent has occurred or is likely to occur, and which state
328 could best protect the respondent from the abuse, neglect, or
329 exploitation.

330 (c) The length of time the respondent was physically



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331 present in or was a legal resident of this or another state.

332 (d) The distance of the respondent from the court in each
333 state.

334 (e) The financial circumstances of the respondent's estate.

335 (f) The nature and location of the evidence.

336 (g) The ability of the court in each state to decide the
337 issue expeditiously and the procedures necessary to present
338 evidence.

339 (h) The familiarity of the court of each state with the
340 facts and issues in the proceeding.

341 (i) If an appointment was made, the court's ability to
342 monitor the conduct of the guardian or conservator.

343 Section 19. Section 744.87, Florida Statutes, is created to
344 read:

345 744.87 Jurisdiction declined by reason of conduct.—

346 (1) If at any time a court of this state determines that it
347 acquired jurisdiction to appoint a guardian because a person
348 seeking to invoke its jurisdiction engaged in bad faith or
349 unlawful conduct, the court may:

350 (a) Decline to exercise jurisdiction; or

351 (b) Exercise jurisdiction for the limited purpose of
352 fashioning an appropriate remedy to ensure the health, safety,
353 and welfare of the respondent or protecting the respondent's
354 property, or both, including staying the proceeding until a
355 petition for the appointment of a guardian is filed in a court
356 of another state having jurisdiction.

357 (2) If a court of this state determines that it acquired
358 jurisdiction to appoint a guardian because a person seeking to
359 invoke its jurisdiction engaged in bad faith or unlawful



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360 conduct, it may assess that person necessary and reasonable
361 expenses, including attorney fees, investigative fees, court
362 costs, communication expenses, witness fees and expenses, and
363 travel expenses. The court may not assess fees, costs, or
364 expenses of any kind against this state or a governmental
365 subdivision, agency, or instrumentality of this state unless
366 otherwise expressly authorized by law.

367 Section 20. Section 744.88, Florida Statutes, is created to
368 read:

369 744.88 Notice of proceeding.—If a petition for the
370 appointment of a guardian is brought in this state and this
371 state is not the respondent's home state on the date that the
372 petition was filed, the petitioner must provide notice of the
373 petition to those persons who would be entitled to notice of the
374 petition in this state and in the respondent's home state.

375 Section 21. Section 744.89, Florida Statutes, is created to
376 read:

377 744.89 Proceedings in more than one state.—Except for a
378 petition for the appointment of an emergency temporary guardian,
379 if a petition for the appointment of a guardian is filed in this
380 state and in another state and neither petition has been
381 dismissed or withdrawn, the following rules apply:

382 (1) If the court of this state has jurisdiction under this
383 chapter, it may proceed with the case unless a court of another
384 state acquires jurisdiction before the appointment of the
385 guardian or issuance of the order.

386 (2) If the court of this state does not have jurisdiction
387 under this chapter after a hearing and judicial determination of
388 same, whether at the time the petition is filed or at any time



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389 before the appointment of a guardian or issuance of an order,
390 the court must stay the proceeding and communicate with the
391 court of the other state. If the court of the other state has
392 jurisdiction after a hearing and judicial determination of same,
393 the court of this state must dismiss the petition unless the
394 court of the other state determines that the court of this state
395 is a more appropriate forum.

396 Section 22. Section 744.90, Florida Statutes, is created to
397 read:

398 744.90 Transfer of guardianship to another state.—

399 (1) A guardian appointed in this state may petition the
400 court to transfer the guardianship to another state as provided
401 in s. 744.1098(1).

402 (2) Notice of a petition under subsection (1) must be given
403 to the ward and all of the next of kin of the ward.

404 (3) On the court's own motion or upon request of the
405 guardian, the ward, or both, the court shall hold a hearing on a
406 petition filed under subsection (1).

407 (4) The court may issue an order provisionally granting a
408 petition to transfer a guardianship and shall direct the
409 guardian to petition for guardianship in the other state if the
410 court is satisfied that the guardianship will likely be accepted
411 by the court of the other state and the court finds that:

412 (a) The ward is physically present in or is reasonably
413 expected to move permanently to the other state;

414 (b) An objection to the transfer has not been made or, if
415 an objection has been made, the objector has not established
416 that the transfer would be contrary to the best interests of the
417 ward ; and



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418 (c) Plans for care and services for the ward in the other
419 state are reasonable and sufficient.

420 (5) The court shall issue a final order confirming the
421 transfer and terminating the guardianship upon its receipt of:

422 (a) A provisional order accepting the proceeding from the
423 court to which the proceeding is to be transferred and issued
424 under provisions similar to s. 744.89; and

425 (b) The documents required, including any required
426 accountings, to terminate a guardianship in this state.

427 (6) The guardian of the ward in this state shall file a
428 petition for discharge in accordance with part VII of this
429 chapter within 60 days after receipt of an order confirming the
430 transfer of the guardianship to another jurisdiction.

431 Section 23. Section 744.91, Florida Statutes, is created to
432 read:

433 744.91 Accepting guardianship transferred from another
434 state.-

435 (1) Within 60 days after the residence of a ward of a
436 foreign guardian is moved to this state, the foreign guardian
437 appointed in another state shall file a petition to determine
438 incapacity and a petition to appoint a guardian with the clerk
439 of court in the county in which the ward resides. The petitions
440 must include a certified copy of the other state's provisional
441 order of transfer, in addition to a certified copy of the
442 guardian's letters of guardianship or the equivalent.

443 (2) Notice of the petitions under subsection (1) must be
444 given to those persons who would be entitled to notice in this
445 state in the same manner as notice is required to be given in
446 this state and the respondent's home state.



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447 (3) The court shall hold a hearing on the petitions filed
448 pursuant to the procedures set forth in this chapter.

449 (4) The court shall issue orders provisionally granting the
450 petitions unless:

451 (a) An objection is made and the objector establishes that
452 transfer of the proceeding would be contrary to the best
453 interests of the ward; or

454 (b) The guardian is ineligible for appointment in this
455 state.

456 (5) Until such time as a guardian is appointed in this
457 state for the ward or the ward is determined to not require a
458 guardian in this state, the foreign guardian's authority is
459 recognized and given full faith and credit in the courts of this
460 state, provided that the guardian is qualified to serve as the
461 guardian of the ward in this state. A foreign guardian who fails
462 to comply with the requirements of this section has no authority
463 to act on behalf of the ward in this state.

464 (6) After appointment of a guardian in this state, the
465 court may issue such orders as necessary to complete the
466 transfer of the foreign guardianship to this state or the
467 termination of the foreign guardianship, as may be required.

468 (7) The authority of the guardian of a nonresident ward
469 shall be recognized and given full faith and credit in the
470 courts of this state. A guardian appointed in another state or
471 country may maintain or defend any action in this state as a
472 representative of the ward unless a guardian has been appointed
473 in this state.

474 Section 24. Section 744.92, Florida Statutes, is created to
475 read:



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476 744.92 Registration of guardianship orders.—If a guardian
477 has been appointed in another state and a petition for the
478 appointment of a guardianship is not pending in this state, the
479 guardian appointed in the other state, after giving notice of
480 the appointment to the appointing court of the intent to
481 register, may register the guardianship order in this state by
482 filing it as a foreign judgment in a court of this state
483 pursuant to ss. 744.307 and 744.308.

484 Section 25. Section 744.93, Florida Statutes, is created to
485 read:

486 744.93 Effect of registration.—Upon registration of an
487 order from another state appointing a guardian, the guardian or
488 conservator may exercise in this state all powers authorized in
489 the order of appointment except as prohibited under the laws of
490 this state and, if the guardian is not a resident of this state,
491 subject to any conditions imposed upon nonresident parties.

492 Section 26. Section 744.94, Florida Statutes, is created to
493 read:

494 744.94 Uniformity of application and construction.—In
495 applying and construing this part, consideration must be given
496 to the need to promote uniformity of the law with respect to its
497 subject matter among states that enact it.

498 Section 27. Section 744.95, Florida Statutes, is created to
499 read:

500 744.95 Relation to federal Electronic Signatures in Global
501 and National Commerce Act.—This part modifies, limits, and
502 supersedes the federal Electronic Signatures in Global and
503 National Commerce Act, 15 U.S.C. s. 7001 et seq., but does not
504 modify, limit, or supersede s. 101(c) of that act, 15 U.S.C. s.



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505 7001(c), or authorize electronic delivery of any of the notices
506 described in s. 103(b) of that act, 15 U.S.C. s. 7003(b).

507 Section 28. This act applies to new and existing
508 guardianship proceedings on or after July 1, 2022.

509 Section 29. This act shall take effect July 1, 2022.

510

511 ===== T I T L E A M E N D M E N T =====

512 And the title is amended as follows:

513 Delete everything before the enacting clause
514 and insert:

515 A bill to be entitled
516 An act relating to guardianships; amending s. 744.306,
517 F.S.; deleting provisions relating to foreign
518 guardianship orders; amending s. 744.363, F.S.;
519 authorizing a guardian to sign an order not to
520 resuscitate in certain limited circumstances; amending
521 s. 744.3675, F.S.; authorizing a guardian to sign an
522 order not to resuscitate in certain limited
523 circumstances; amending s. 744.441, F.S.; authorizing
524 a guardian to consent to the entry of an order not to
525 resuscitate by a physician under certain limited
526 circumstances; requiring a guardian to notify the
527 court within a certain time after signing or
528 consenting to the entry of an order not to
529 resuscitate; creating part IX of ch. 744, Florida
530 Statutes, entitled the "Florida Guardianship
531 Jurisdiction Act"; creating s. 744.74, F.S.; providing
532 a short title; creating s. 744.75, F.S.; providing
533 legislative purpose and construction; creating s.



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534 744.76, F.S.; defining terms; creating s. 744.77,
535 F.S.; providing construction relating to international
536 application; creating s. 744.78, F.S.; authorizing
537 courts of this state to communicate with courts of
538 another state relating to certain proceedings;
539 requiring courts of this state to make a record of
540 such communication; specifying communications that
541 interested persons must be able to participate in;
542 creating s. 744.79, F.S.; specifying actions that a
543 court of this state may request from, and perform for,
544 a court of another state in certain guardianship
545 proceedings; creating s. 744.80, F.S.; authorizing
546 courts of this state to permit witness testimony by
547 certain means; providing that certain evidence may be
548 excluded after a judicial determination of
549 admissibility; creating s. 744.81, F.S.; specifying
550 factors a court must consider in determining whether a
551 respondent has a significant connection with a
552 particular state; creating s. 744.82, F.S.; providing
553 construction relating to the basis for jurisdiction;
554 creating s. 744.83, F.S.; specifying circumstances
555 when a court of this state has jurisdiction in certain
556 guardianship proceedings; creating s. 744.84, F.S.;
557 specifying the special jurisdiction of courts of this
558 state; providing procedures relating to the
559 appointment of an emergency temporary guardian under
560 certain circumstances; creating s. 744.85, F.S.;
561 providing that a court that has appointed a guardian
562 has exclusive and continuing jurisdiction until



563 certain conditions are met; creating s. 744.86, F.S.;
564 authorizing a court of this state to decline to
565 exercise its jurisdiction under certain circumstances;
566 specifying requirements for such court; specifying
567 factors a court must consider in determining whether
568 it is an appropriate forum; creating s. 744.87, F.S.;
569 authorizing a court to decline to exercise
570 jurisdiction or to exercise jurisdiction for a limited
571 purpose under certain circumstances; authorizing a
572 court to assess certain expenses against certain
573 persons; prohibiting the court from assessing certain
574 fees, costs, or expenses against this state; creating
575 s. 744.88, F.S.; providing notice requirements for
576 certain petitions to appoint a guardian; creating s.
577 744.89, F.S.; providing procedures when certain
578 proceedings are pending in more than one state;
579 creating s. 744.90, F.S.; authorizing a guardian
580 appointed in this state to petition to transfer the
581 guardianship to another state; providing notice
582 requirements; providing requirements and procedures
583 for the court; specifying conditions before a court
584 issues a final order confirming the transfer and
585 terminating the guardianship; providing a requirement
586 for the guardian in filing a petition for discharge;
587 creating s. 744.91, F.S.; specifying requirements and
588 procedures for the transfer of a guardianship from
589 another state; providing construction; creating s.
590 744.92, F.S.; providing a procedure for registering
591 guardianship orders in this state under certain



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592 circumstances; creating s. 744.93, F.S.; providing
593 construction relating to the effect of registering a
594 guardianship order; creating s. 744.94, F.S.;
595 providing construction relating to uniformity of law;
596 creating s. 744.95, F.S.; providing construction
597 relating to the federal Electronic Signatures in
598 Global and National Commerce Act; providing
599 applicability; providing an effective date.